

REMARKS

In the parent patent application, the following restriction requirement was entered under 35 USC 121, with traverse:

Restriction Requirement

I. Claims 1-28, 42, 43, and 47, drawn to a fixed array with at least three rows and at least nine columns with specific attributes arrangements, classified in class 400, subclass 486.

II. Claims 29-40, drawn to a fixed array with specific selected key symbols, classified in class 400, subclass 485.

III. Claims 41 and 43, drawn to a fixed array for specific character symbols in a given language, classified in class 400, subclass 486.

IV. Claims 44-46, drawn to a fixed array for specific character symbols in a given language with a computer hardware or software means, classified in class 400, subclass 473.

V. Claim 48, drawn to a fixed array for specific character symbols assigned to every key location in a keyboard arrangement, classified in class 400, subclass 489."

In the parent application, the examiner stated that "the inventions are distinct, each from the other."

The applicant has conceded that claim 48 is distinct and is subject to restriction and affirmatively adopted that portion of the restriction requirement in the parent application insofar as it applies to group V. The applicant traversed the remainder of the restriction requirement.² Grounds for traversing the restriction requirement were timely submitted in the parent application by Applicant's Response to Office Action of 4/21/2003.

The applicant timely submitted a corrected FIG. 3 and the issue and publication fees in the parent application; accordingly, the parent application, with claim 48 and without

² The applicant, in the interview on 17 April 2003, expressly reserved the right to traverse the remainder of the restriction requirement.

claims 1-47, issued as U.S. patent number 6,632,038 B2. Therefore, claim 48 is canceled in this divisional application by preliminary amendment. Claims 1-47, however, remain in this divisional application.

Claim under 35 USC 120 to Benefit of Earlier Filing Date

Since this divisional application copended with the parent application, and since the scope of the disclosure and claims herein does not exceed that of the parent application, the applicant claims the benefit of the parent's filing date -- to wit: December 19, 2001.

Amendment to Specification

The specification was amended by deleting text that supports claim 48, which text is superfluous in this divisional application. A marked up copy of the entire Specification is submitted herewith, pursuant to MPEP 714, Part III. No new matter or text has been added (except to mention on page 1 that this is a divisional application).

Amendment to Abstract

The Abstract was amended by deleting only the last sentence thereof, which relates only to claim 48 and is superfluous in this divisional application.

Amendment to Claims

The claims are amended by deleting claim 48, which is superfluous to this divisional application. Claim 46 is amended to depend from both claim 44 and claim 45 instead of depending just from claim 45. Claim 45 is already dependent on claim 44, which means that claim 46, as originally submitted in the parent application, likewise was also already dependent on claim 44. The amendment of claim 46 merely serves to clarify that the applicant intends to claim all keyboard arrangements specified by claim 44 as limited by the attribute classes specified in claim 46, whether or not the means for reassigning the preassigned keys is that specified in claim 45. This amendment is supported by the specification as originally submitted in the parent application. No new matter is involved here.

Amendment to Drawings

FIG. 32 depicting the keying means of R.P. Harvey is deleted because it relates only to claim 48 of the parent application and is superfluous to this divisional application. FIG. 33 is renumbered as FIG. 32.

Dated this 16th day of April, 2004.

Respectfully submitted by:

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CERTIFICATION OF MAILING [37 CFR 1.10]

The undersigned certifies that he deposited this document with U. S. Postal Service on April 16, 2004, in an Express Mail envelope with express mail label number EU 964079572US, addressed to Mail Stop Non-Fee Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Brian J. Coyne
Brian J. Coyne Date: April 16, 2004